

Introduced by Senator Migden

February 24, 2006

An act to amend Sections 16115.5 and 16118 of, and to add Section 16118.5 to, the Welfare and Institutions Code, relating to adoption.

LEGISLATIVE COUNSEL'S DIGEST

SB 1712, as introduced, Migden. Adoption Assistance Program: adoption of teens.

Existing law provides for the establishment and administration by the State Department of Social Services or the county of the Adoption Assistance Program, for the purpose of benefitting children residing in foster homes by providing the stability and security of permanent homes. The program provides for the payment by the department and counties, of cash assistance to eligible families that adopt eligible children, and bases the amount of the payment on the needs of the child and the resources of the family to meet those needs.

This bill would declare the policy of the state, to be advanced by the department and licensed adoption agencies, to promote and encourage adoption of all children, including teenagers, in the foster care system. The bill would require the department to report to the Legislature, no later than January 1, 2008, regarding the effectiveness of the program in encouraging and promoting the adoption of all eligible children, including teenagers, within the foster care system.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16115.5 of the Welfare and Institutions
- 2 Code is amended to read:

1 16115.5. (a) It is the intent of the Legislature in enacting this
2 chapter to benefit children residing in foster homes by providing
3 the stability and security of permanent homes, and in so doing,
4 achieve a reduction in foster home care. It is not the intent of this
5 chapter to increase expenditures but to provide for payments to
6 adoptive parents to enable them to meet the needs of children
7 who meet the criteria established in Sections 16116, 16120, and
8 16121.

9 (b) *It is the policy of the state, which shall be advanced by the*
10 *department and licensed adoption agencies, to promote and*
11 *encourage adoption of all children, including teenagers,*
12 *regardless of eligibility for adoption assistance under this*
13 *chapter.*

14 SEC. 2. Section 16118 of the Welfare and Institutions Code is
15 amended to read:

16 16118. (a) The department shall establish and administer the
17 program to be carried out by the department or the county
18 pursuant to this chapter. The department shall adopt any
19 regulations necessary to carry out ~~the provisions of~~ this chapter.

20 (b) The department shall keep any records necessary to
21 evaluate the program's effectiveness in encouraging and
22 promoting the adoption of children, *including teenagers*, eligible
23 for the Adoption Assistance Program.

24 (c) The department or the county responsible for providing
25 financial aid in the amount determined in Section 16120 shall
26 have responsibility for certifying that the child meets the
27 eligibility criteria and for determining the amount of financial
28 assistance needed by the child and the adopting family.

29 (d) The department shall actively seek and make maximum
30 use of federal funds that may be available for the purposes of this
31 chapter. All gifts or grants received from private sources for the
32 purpose of this chapter shall be used to offset public costs
33 incurred under the program established by this chapter.

34 (e) For purposes of this chapter, the county responsible for
35 determining the child's Adoption Assistance Program eligibility
36 status and for providing financial aid in the amount determined in
37 Sections 16120 and 16120.1 shall be the county that at the time
38 of the adoptive placement would otherwise be responsible for
39 making a payment pursuant to Section 11450 under the
40 CalWORKs program or Section 11461 under the Aid to Families

1 with Dependent Children-Foster Care program if the child were
2 not adopted. When the child has been voluntarily relinquished for
3 adoption prior to a determination of eligibility for such a
4 payment, the responsible county shall be the county in which the
5 relinquishing parent resides. The responsible county for all other
6 eligible children shall be the county where the child is physically
7 residing prior to placement with the adoptive family. The
8 responsible county shall certify eligibility on a form prescribed
9 by the department.

10 SEC. 3. Section 16118.5 is added to the Welfare and
11 Institutions Code, to read:

12 16118.5. The department shall submit a report to the
13 appropriate committees of the Legislature, no later than January
14 1, 2008, regarding the effectiveness of the Adoption Assistance
15 Program in encouraging and promoting the adoption of all
16 eligible children, including teenagers, within the foster care
17 system.